



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
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Lieutenant Governor

STEPHEN R. PRITCHARD  
Secretary

ROBERT W. GOLLEDGE, Jr.  
Commissioner

February 13, 2006

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In the Matter of  
Robert Cook Excavating & Asphalt, Inc.

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DEP Docket No. 2004-135  
DALA Docket No. DEP-05-237  
File No. UAO-WE-04-6W019  
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**FINAL DECISION**

I have reviewed the attached Administrative Consent Order and Notice of Noncompliance signed by Robert S. Cook, on behalf of the petitioner, Robert Cook Excavating & Asphalt, Inc. on January 25, 2006, and by Michael J. Gorski, Regional Director for the Department's Western Regional Office, on February 2, 2006 (ACO-WE-05-Z018-6-SETT).

The Department issues this final decision incorporating the Settlement Agreement. Under the terms of 310 CMR 1.01(8)(c), this proceeding is dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as any appeal to court.

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

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Robert W. Golledge, Jr.  
Commissioner